

Public Chapter 226

SENATE BILL NO. 1831

By Haynes

Substituted for: House Bill No. 1687

By Buck

AN ACT To amend Tennessee Code Annotated, Title 20, Chapter 2, relative to personal jurisdiction.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 20, Chapter 2, Part 2, is amended by adding the following new sections:

Section 20-2-221. Definition of Person.

As used in this Act, "person" includes an individual, an executor, administrator or other personal representative, or a corporation, partnership, association or any other legal or commercial entity, whether or not a citizen or domiciliary of this state and whether or not organized under the laws of this state.

Section 20-2-222. Personal Jurisdiction Based Upon Enduring Relationship.

A court may exercise personal jurisdiction over

(a) a person domiciled in, organized under the laws of, or maintaining his, her, or its principal place of business in, the state as to any claim for relief; or

(b) a person who is a party to an action of divorce, annulment or separate maintenance when the parties have lived in the marital relationship within this state, notwithstanding one party's subsequent departure from this state, as to all obligations arising for alimony, custody, child support, child visitation, or marital dissolution agreement, if the other party to the marital relationship continues to reside in this state.

Section 20-2-223. Personal Jurisdiction Based On Conduct.

(a) A court may exercise personal jurisdiction over a person, who acts directly or indirectly, as to a claim for relief arising from the person's

(1) transacting any business in this state;

- (2) contracting to supply services or things in this state;
- (3) causing tortious injury by an act or omission in this state;
- (4) causing tortious injury in this state by an act or omission outside this state of the person who regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered, in this state;
- (5) having an interest in, using, or possessing real property in this state; or
- (6) contracting to insure any person, property, or risk located within this state at the time of contracting; or
- (7) conduct as a director or officer of a domestic corporation or the conduct of a domestic corporation while the person held office as a director or officer.

(b) When jurisdiction over a person is based solely upon this section, only a claim for relief arising from acts enumerated in this section may be asserted against that person.

Section 20-2-224. Service Outside The State.

When the exercise of personal jurisdiction is authorized by this Act, service may be made outside this state in the manner provided by the Tennessee Rules of Civil Procedure or as otherwise provided by law.

Section 20-2-225. Other Bases Of Jurisdiction Unaffected -- Jurisdiction Whenever Permitted By Constitution.

A court of this state may exercise jurisdiction

- (a) on any other basis authorized by law; or
- (b) any basis not inconsistent with the Constitution of this state or of the United States.

SECTION 2. This act shall take effect July 1, 1997, the public welfare requiring it.